

Application No. 10/662,510
Reply to Office Action of January 6, 2006

IN THE DRAWINGS

The attached sheet of drawings includes changes to Figures 3B and 3C. This sheet, which includes Figures 3B and 3C, replaces the original sheet including Figures 3B and 3C.

Attachment: 1 Replacement Sheet

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1, 2, 5, 6, 8, 10-18, and 20-22 are pending in this application. Claims 1, 2, 5, 6, 8, 10-18, 20, and 21 are amended, Claim 19 is canceled without prejudice or disclaimer, and new Claim 22 is added by the present amendment. As amended Claims 1, 2, 5, 6, 8, 10-18, 20, and 21 and new Claim 22 are supported by the original disclosure,¹ no new matter is added.

In the outstanding Office Action, the drawings were objected to; the specification was objected to; Claims 1, 2, 5, 6, 8, 10-21 were rejected under 35 U.S.C. §112, first and second paragraphs; Claims 1, 2, 5, 6, 8, and 10, 12, and 17-21 were rejected under 35 U.S.C. §102(b) as anticipated by Petrie et al. (U.S. Patent No. 3,395,857, hereinafter "Petrie"); Claim 2 was rejected under 35 U.S.C. §103(a) as unpatentable over Petrie; Claims 11 and 13-16 were rejected under 35 U.S.C. §103(a) as unpatentable over Petrie in view of Mulquin (U.S. Patent No. 3,304,031).

In response to the objection to the drawings, Figures 3B and 3C are amended herewith to include the labels 54B and 54C respectively. Further, a substitute specification is enclosed herewith which reflects the amendment to the drawings and includes a description for reference number 80. Accordingly, the objection to the drawings is believed to be overcome.

With regard to the objection to the specification, a substitute specification is enclosed herewith which replaces "fusible" with "frangible," "locally zone of weakness" with "local zone of weakness," "centre" with "center," "orifice 12" with "orifice 42," and "first average line 40" with "first average line 240." It is respectfully noted that reference number 60 appears on Figures 3A, 3B, and 3C. With regard to the paragraph at page 7, line 22 to page

¹See, e.g., the original claims and page 9, lines 11-24.

8, line 2, this paragraph is amended to clarify that the structural screws are better able to resist fatigue than the frangible screws. Finally, the paragraphs at page 9, line 24 to page 10, line 5 and page 10, lines 11-17 are amended such that they do not contradict each other. Accordingly, the objection to the specification is believed to be overcome.

With regard to the outstanding rejection of Claim 21 under 35 U.S.C. §112, first paragraph, it is respectfully submitted that Claim 21 is supported at least by original Figure 4. Figure 4 illustrates a flange 52 which contacts intermediate casing 14. Thus, intermediate casing 14 includes a surface portion that abuts the surface of flange 52. Accordingly, the recitation of “the intermediate casing comprising a surface portion configured to abut a portion of a surface of the flange” in Claim 21 is in compliance with all requirements under 35 U.S.C. §112, first paragraph.

With regard to the outstanding rejection of Claims 1, 2, 5, 6, 8, and 10-21 under 35 U.S.C. §112, first paragraph, that rejection is respectfully traversed. Claims 1 and 21 are amended to recite “each first rupture member is designed to break at a predetermined individual member tension load value, each second rupture member is designed to break only at individual member tension load values which are higher than said predetermined individual member tension load value.” It is respectfully submitted that one skilled in the art would know how to make and use both the first and the second rupture members defined in Claims 1 and 21, as it is within the skill of one in the art to design a second rupture member that breaks only at individual member tension load values which are higher than a predetermined individual member tension load value. Accordingly, Claims 1, 2, 5, 6, 8, 10-18, 20, and 21 are in compliance with all requirements under 35 U.S.C. §112, first paragraph.

With regard to the rejection of Claims 1, 2, 5, 6, 8, and 10-21 under 35 U.S.C. §112, second paragraph, that rejection is respectfully traversed. Claim 1 is amended to delete “called fusible rupture members” and “called structural rupture members.” Claim 1 is also

amended to recite “a set of first rupture members” and “a set of second rupture members.” Finally, the word “fusible” is deleted from Claims 1, 2, 5, 6, 8, 10-13, 17, 18, 20, and 21. Accordingly, Claims 1, 2, 5, 6, 8, 10-18, 20, and 21 are in compliance with all requirements under 35 U.S.C. §112, second paragraph.

With regard to the rejection of Claims 19 and 21 under 35 U.S.C. §112, second paragraph, that rejection is respectfully traversed. Claim 19 is canceled, making the present rejection moot with respect to this claim. Claims 1 and 21 are amended to recite elements which are configured to apply a tension load to parts of the tension decoupler device. Accordingly, Claims 1 and 21 do not omit any essential elements and are in compliance with all requirements under 35 U.S.C. §112, second paragraph.

With regard to the rejection of Claim 21 under 35 U.S.C. §102(b) as anticipated by Petrie, that rejection is respectfully traversed.

Amended Claim 1 recites in part:

- a first tension transmitting element connected to a first part of said structure, said first tension transmitting element configured to apply a tension load to said first part of said tension decoupler device;
- a second tension transmitting element connected to a second part of said structure, said second tension transmitting element configured to apply the tension load to said second part of said tension decoupler device;
- a set of first rupture members arranged to be parallel to each other; and
- a set of second rupture members, arranged to be parallel to each other and parallel to the first rupture members,

wherein each first rupture member is designed to break at a predetermined individual member tension load value, each second rupture member is designed to break only at individual member tension load values which are higher than said predetermined individual member tension load value, said second rupture members are designed to resist fatigue as long as the tension load does not reach said predetermined load value, and said first and second parts of said tension decoupler device are coupled together by said set of first rupture members and said set of second rupture members.

In contrast, Petrie describes a bearing assembly including a fixed structure 22 and a flange 21, each including a plurality of holes. Bolts 23 and 30 are inserted in the plurality of holes. However, fixed structure 22 and flange 21 do not have a *tension* load applied to them, but instead a *shearing* load is applied to fixed structure 22 and flange 21.² Thus, the device described by Petrie does not include “a first tension transmitting element” or “a second tension transmitting element” as recited in amended Claim 1. As Petrie does not teach each and every element of amended Claim 1, Claim 1 (and Claims 2, 5, 6, 8, 10-18, and 20 dependent therefrom) is not anticipated by Petrie and is patentable thereover.

In a similar manner, Petrie does not teach “a first tension transmitting element” or “a second tension transmitting element” as recited in amended Claim 21 either. Thus, amended Claim 21 is also patentable over Petrie.

With regard to the rejection of Claims 11 and 13-16 as unpatentable over Petrie in view of Mulquin, it is noted that Claims 11 and 13-16 are dependent from Claim 1, and thus are believed to be patentable for at least the reasons discussed above with respect to Claim 1. Further, it is respectfully submitted that Mulquin does not cure any of the above-noted deficiencies of Petrie. Accordingly, it is respectfully submitted that Claims 11 and 13-16 are patentable over Petrie in view of Mulquin.

New Claim 22 is supported at least by the original claims and the specification at page 9, lines 11-24. New Claim 22 recites “a first tension transmitting element” and “a second tension transmitting element,” neither of which are taught or suggested by Petrie. New Claim 22 further recites:

when the *tension* load applied to the decoupler device exceeds a *predetermined total tension load value*, said first rupture members break and then said second rupture members break.

²See Petrie, column 2, lines 24-41.

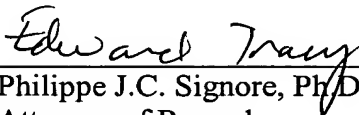
As Petrie only shows a set of bolts 23 that break under shear forces, Petrie does not teach or suggest the above-quoted features of new Claim 22. Further, it is respectfully submitted that Mulquin also does not teach or suggest these features. Finally, it is respectfully submitted that Claim 22 is in compliance with all requirements under 35 U.S.C. §112, first and second paragraphs. Accordingly, new Claim 22 is believed to be patentable.

Consequently, in view of the present amendment, no further issues are believed to be outstanding in the present application, and the present application is believed to be in condition for formal Allowance. A Notice of Allowance for Claims 1, 2, 5, 6, 8, 10-18, and 20-22 is earnestly solicited.

Should the Examiner deem that any further action is necessary to place this application in even better form for allowance, the Examiner is encouraged to contact Applicants' undersigned representatives at the below listed telephone number.

Respectfully submitted,

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